

REMARKS

Claims 1 – 14 are pending. The amendment to claim 1 does not add new matter, because the amendment merely corrects a typographical error. Claim 5 has been rewritten in independent form. Applicants acknowledge with appreciation the indication of the Allowability of claims 4 – 7.

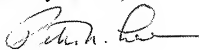
Claim 1 reads, “when at least one approval criterion is satisfied for an engine torque (M)....” The Office action seems to read over this feature, stating, “Hess et al. discloses an engine torque control system wherein when at least one approval criteria for engine torque” According to column 2, lines 44 – 46 of Hess, a desired value for torque is supplied to control unit 10 from another control unit 28. Hess indicates the criterion used for stipulating a desired torque can be independent of engine torque (See column 1, lines 57 – 63). Tabata, Yoshida, and Mabuchi are not cited to compensate for this shortcoming. Favorable reconsideration is respectfully requested.

The Director is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account 14-1437. Please credit any excess fees to such account.

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Respectfully submitted,



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